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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/874,283	06/06/2001	Akira Kudo	1359.1049	6300
21171	7590	09/10/2007		
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			EXAMINER NGUYEN, VAN H	
			ART UNIT 2194	PAPER NUMBER
			MAIL DATE 09/10/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Office Action Summary	Application No. 09/874,283	Applicant(s) KUDO ET AL.	
	Examiner VAN H. NGUYEN	Art Unit 2194	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 June 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 4,6,8,10,14,16 and 20-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 8 is/are allowed.
- 6) ☒ Claim(s) 4,6,10,14,16 and 20-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>08/14/2007</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is responsive to the amendment filed application filed 06/19/2007.

Claims 4, 6, 8, 10, 14, 16, and 20-22 are currently pending in this application.

Information Disclosure Statement

2. The Applicants' Information Disclosure Statement, filed 08/14/2007, has been received, entered into the record, and considered.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 4, 6, 10, 14, 16, and 20-22 are rejected under 35 U.S.C. 102(b) as being anticipated by **Materna et al.** (US 4,714,995).

As to claim 20:

Materna teaches a computer-readable storage storing a program for controlling a computer to execute, as a perpetuation object to be operated singly, collaborating a plurality of information processors based on different architectures (*e.g., a system for integrating a number of host computers having heterogeneous data bases so that any identical data items in the data bases are maintained consistent with each other ... The local data bases of the various host computers are referred to as heterogeneous because they have different organizational schema or structures and different record formats for storing data*) [see the Abstract and the discussion beginning at col. 5, line 8], by:

- generating an information identification object that determines information to be stored in each of the plurality of information processors (*e.g., The dictionary module 64 contains information with respect to each common data base entity. This information includes, for each entity, an entity name, an alternative name (if necessary), node number identifiers of each local data base that contains the entity, an indication of the schema classification, an update template for each schema, the owner identification, and possible descriptive information concerning the entity. This dictionary information can be stored in any convenient format for access through a data base management system (DBMS) 84*) [see the discussion beginning at col.10, line 29].
- referring to collaboration information including at least information on a communication method between the information processors and generating a role

object as an active role with respect to an information processor that is a data transmission origin, and a role object as a passive role with respect to an information processor that is a data transmission destination (*e.g., When distribution module 62 is ready to transmit updates to one of the host computer systems 10, the distribution module requests the external communications module 60a to send the local computer a SEND command, together with the accompanying data and the intended destination of the data. (Depending on the actual communications protocol employed to communicate over the network 12, each SEND, RECEIVE or AUDIT command may have to be preceded by a CONNECT command to establish communication between the data translator 22 and the update manager 32 of a desired host computer system 10.) From the point of view of the distribution module 62, once a SEND command is issued, the external communications module will automatically transmit the message, and the distribution module may continue performing other functions...The RECEIVE command is basically a polling command, instructing a selected host computer system to transmit either data transactions, status acknowledgment messages, or AUDIT responses (described in the next paragraph) that are ready to be transmitted*) [see the discussion, beginning at col. 9, line 22]; and

- referring to the stored collaboration information and generating a relating object for transmitting information to be stored in each of the information processors between the role objects, in accordance with a communication method between the information processor that is a data transmission origin and the information

processor that is a data transmission destination [e.g., *The distribution module obtains from dictionary module 64 information specifying which host computers need to receive the updates and a "template" specifying how to reformat or translate the data into the schema of the host computer's data base to which it is to be sent. The distribution module then passes all this information to the appropriate transform module 69, which performs the actual data schema translation. The transform module 69 then stores the translated representation of the data update in output queue 86, to await transmission by external communications module 60a to the appropriate host computer 10... This multi-tasking computer organization is particularly suited to the use of multiple computer processors; see the discussion beginning at col.11, line 3*].

As to claim 21:

Materna teaches timing information on timing of passing of information between the plurality of information processors [e.g., *see the discussion beginning at col.3, line 14*].

As to claim 22:

Materna teaches the communication is selected from, among other things, batch communication (e.g., *transmitted as a batch*) [see the discussion, beginning at col. 9, line 22].

As to claims 14 and 16:

Refer to claims 20 and 22, respectively, for rejection.

As to claim 10:

Refer to claim 20 above for rejection.

As to claims 4 and 6:

Refer to claims 20 and 22, respectively, for rejection.

Indication of Allowable Subject Matter

4. Claim 8 appears to be allowable over the prior art of record, subject to a final search.

Response to Arguments

5. Applicant's arguments filed 06/19/2007 have been fully considered but they are not persuasive.

Applicant argues in substance that Materna does not teach storing information on a communication method as collaboration information.

In response, Materna's teaching "*The dictionary module 64 contains information with respect to each common data base entity. This information includes, for each entity, an entity name, an alternative name (if necessary), node number identifiers of each local*

data base that contains the entity, an indication of the schema classification, an update template for each schema, the owner identification, and possible descriptive information concerning the entity. This dictionary information can be stored in any convenient format for access through a data base management system (DBMS) 84" [see the discussion beginning at col.10, line 29] reads-on storing information on a communication method as collaboration information.

Applicant argues in substance that Materna does not teach information identification object used in determining information to be stored in each of the storages of the information processors.

In response, Materna's teaching "*The distribution module obtains from dictionary module 64 information specifying which host computers need to receive the updates and a "template" specifying how to reformat or translate the data into the schema of the host computer's data base to which it is to be sent. The distribution module then passes all this information to the appropriate transform module 69, which performs the actual data schema translation. The transform module 69 then stores the translated representation of the data update in output queue 86, to await transmission by external communications module 60a to the appropriate host computer 10... This multi-tasking computer organization is particularly suited to the use of multiple computer processors; see the discussion beginning at col.11, line 3]* reads-on information identification object used in

determining information to be stored in each of the storages of the information processors.

Applicant argues in substance that Materna does not teach role object as an active role with respect to information processing means that is a data transmission origin, and a role object as a passive role with respect to information processing means that is a data transmission destination.

In response, Materna's teaching "*When distribution module 62 is ready to transmit updates to one of the host computer systems 10, the distribution module requests the external communications module 60a to send the local computer a SEND command, together with the accompanying data and the intended destination of the data.*

(Depending on the actual communications protocol employed to communicate over the network 12, each SEND, RECEIVE or AUDIT command may have to be preceded by a CONNECT command to establish communication between the data translator 22 and the update manager 32 of a desired host computer system 10.) From the point of view of the distribution module 62, once a SEND command is issued, the external communications module will automatically transmit the message, and the distribution module may continue performing other functions...The RECEIVE command is basically a polling command, instructing a selected host computer system to transmit either data transactions, status acknowledgment messages, or AUDIT responses (described in the next paragraph) that are ready to be transmitted) [see the discussion, beginning at col. 9,

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line 22] reads-on role object as an active role with respect to information processing means that is a data transmission origin, and a role object as a passive role with respect to information processing means that is a data transmission destination.

Applicant argues in substance that Materna does not teach communication method is selected from a plurality of kinds of communication methods.

In response, Materna teaches the communication is selected from, among other things, batch communication (*e.g., transmitted as a batch*) [see the discussion, beginning at col. 9, line 22].

Conclusion

6. The prior art made of record, listed on PTO 892 provided to Applicant is considered to have relevancy to the claimed invention. Applicant should review each identified reference carefully before responding to this office action to properly advance the case in light of the prior art.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

7. Any inquiry or a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: (571) 272-2100.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to VAN H. NGUYEN whose telephone number is (571) 272-3765. The examiner can normally be reached on Monday-Thursday from 8:30AM-6:00PM. The examiner can also be reached on alternative Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM THOMSON can be reached at (571) 272-3718.

The fax phone number for the organization where this application or

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proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

Commissioner for patents

P O Box 1450

Alexandria, VA 22313-1450

A handwritten signature in black ink, appearing to read "Van H. Nguyen", with a large, sweeping flourish at the end.

VAN H. NGUYEN
PRIMARY EXAMINER